



Attorney Docket No.: 4759.224-US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Jeppesen et al.

Serial No.: 09/940,963

Group Art Unit: 1626

Filed: August 28, 2001

Examiner: Gerstl, Robert

For: Heterocyclic Compounds and their Preparation and Use

**AMENDMENT AND RESPONSE**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This amendment is submitted in response to the final Office Action on the merits mailed January 14, 2003, having a shortened statutory period for reply set to expire April 14, 2003, subject to extensions of time under the provisions of 37 CFR §1.136(a). A petition for a two (2) month extension of time to increase the period for reply to June 14, 2003, is enclosed herewith to permit timely filing of this Amendment/Response and Notice of Appeal.

The Examiner has stated claims numbered 25-37 are pending in the application; claim 31 is allowed; and claims 25-30 and 32-37 are rejected.

**Amendment**

**In the Claims:**

Please cancel claims 31, and 32 without prejudice or disclaimer.

Kindly amend claim 25 and 33 as follows:

25. (Amended) A compound of formula I or the quaternized form thereof: